

**IN THE CLAIMS:**

Please AMEND claims 1, 3-7, and 10-14 in accordance with the following:

1. (CURRENTLY AMENDED) An apparatus for recording data on and/or reproducing data from an optical storage medium, the apparatus comprising:

    a pickup to record data on and/or reproduce data from the optical storage medium;

    a system controller that records write protection information for indicating one of a plurality of write protection statuses of the optical storage medium, each one of the plurality of write protection statuses indicating a size of a corresponding write protected area,

    wherein:

the optical storage medium includes a data zone between lead in and lead out areas,

the data zone includes a user data area and a spare area used to replace a defective area of the user data area, and

one of the write protection statuses indicates that the user data area is write protected and the spare area is not write protected.

2. (ORIGINAL) The apparatus of claim 1, wherein the size includes a portion of the data zone.

3. (CURRENTLY AMENDED) The apparatus of claim 1, wherein when the controller detects that the write protection information indicates the one write protection status and detects a defective area in the user data area, the controller replaces the defective area with the spare area  
~~the data zone includes a user data area and at least one of an inner spare area and an outer spare area.~~

4. (CURRENTLY AMENDED) The apparatus of claim 3, wherein when the write protection information indicates the one write protection status, the at least one of the inner and outer spare area is recordable for purposes of defect management while the user data area is not recordable.

5. (CURRENTLY AMENDED) The apparatus of claim 3, wherein the write protection information indicates that only the user data area is write-protected.

6. (CURRENTLY AMENDED) The apparatus of claim 1, wherein the at least one of the lead-in area and the lead-out area comprises a drive test zone and a disc identification zone, and another one of the write protection statuses indicates that the data zone is write protected and the drive test zone and the disc identification zone are not write protected and the data zone includes at least one of an inner spare area and an outer spare area which are recordable.

7. (CURRENTLY AMENDED) An apparatus for recording data on and/or reproducing data from an optical storage medium, the apparatus comprising:

a pickup to record data on and/or reproduce data from a data zone of the optical storage medium, the data zone being between lead in and lead out zones and including spare areas used for replacing defective areas of the data zone; and

a system controller that records write protection information for indicating a size of a write protected area of the data zone as differentiated from a plurality of sizes of write protected areas of the data zone.

8. (ORIGINAL) The apparatus of claim 7, wherein one of the sizes includes a portion of the data zone.

9. (ORIGINAL) The apparatus of claim 7, wherein the data zone includes a user data area and at least one of an inner spare area and an outer spare area.

10. (CURRENTLY AMENDED) The apparatus of claim 9, wherein if when the user area has a defect area, at least one of the inner and outer spare areas is useable to replace the defect area, and the write protection information indicates and differentiates between a write protection status in which the spare areas are not write protected and the user data area is write protected and a write protection status in which the spare areas are write protected and the user data area is write protected.

11. (CURRENTLY AMENDED) An apparatus for recording data on and/or reproducing data from an optical storage medium, the apparatus comprising:

a pickup to record data on and/or reproduce data from the optical storage medium, the optical storage medium including a data zone between lead in and lead out zones;

a system controller that records write protection information for indicating one of a plurality of write protection statuses of the optical storage medium, one of the statuses being to

allow defect management of a write protected optical storage medium through replacement of a defective area of the data zone with another portion of the data zone.

12. (CURRENTLY AMENDED) The apparatus of claim 11, wherein the data zone includes a user data area having the defective area and at least one of an inner spare area and an outer spare area having the another portion replacing the defective area.

13. (CURRENTLY AMENDED) The apparatus of claim 11, wherein: the at least one of the lead-in area and the lead-out area comprises a drive test zone and a disc identification zone, and the data zone includes the an inner spare area and/or the an outer spare area are recordable while the write protection information indicates that the data zone is write protected for purposes of defect management.

14. (CURRENTLY AMENDED) The apparatus of claim 1213, wherein if the user area has a defect area, at least one of the inner and outer spare areas is useable to replace the defect area.